



**City Council  
Pre-Agenda Meeting  
September 13, 2005  
4:00 p.m.**

**The regularly scheduled Pre-Agenda Meeting of the Trinity City Council was held on Tuesday, September 13, 2005 at Trinity City Hall, 6701 NC Highway 62, Trinity, NC 27370.**

**MEMBERS PRESENT:** Mayor, Jimmy Shore; Council members Karen Bridges, Phil Brown, Barry Lambeth, Bob Labonte, and Edith Reddick and Miles Talbert.

**MEMBERS ABSENT:** Council members Barbara Ewings and Dwight Meredith.

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/Finance Officer, Debbie Hinson; City Engineer, Randy McNeill, Davis, Martin, Powell and Associates; other interested parties.

**ITEM I. Welcome**

Mayor Shore called the September 13, 2005 Regular Pre-Agenda Meeting of the Trinity City Council to order at 4:00 pm and welcomed everyone present.

**ITEM II. Invocation**

The invocation was given by Council member Lambeth.

Prior to beginning the meeting, Mayor Shore and Council telephoned Council member Ewings who was involved in the hurricane relief effort with Red Cross in Gulfport, Mississippi for an update on the progress for the victims in this area.

Council member Ewings discussed the dire circumstances for the residents in this area. The persons in this area have been affected drastically. We are working long hours to try to give these people some assistance. There is nothing left in some places and in some places persons are actually walking on their roofs. Council member Ewings asked that everyone remember these people as well as those persons giving aid in the different locations to those in need.

After speaking with Council member Ewings, Mayor Shore advised Council members that he was on 24 hour call to drive a transfer truck to Louisiana or Mississippi. He asked Mayor Pro-Tem Brown to be ready to conduct the September 20, 2005 meeting if needed.

**ITEM III. Proposed Items for the September 20, 2005 Regular Meeting of the Trinity City Council**

Mayor Shore called for discussion and or motion to add these items to the September 13, 2005 Regular Meeting Agenda.

**Review and Approval of Minutes**

1. **August 9, 2005 Pre-Agenda Meeting**
2. **August 16, 2005 Regular City council Meeting**

*Council member Reddick made a motion to add these items to the September 20, 2005 Regular Meeting Agenda. The motion was seconded by Council member Talbert and approved unanimously by all Council members present.*

**Public Hearings**

3. **Rezoning Request #Z05-05, to Rezone Properties Located Within the City of Trinity at 4154 and 4130 NC Highway 62, Further Identified as Randolph County Tax Parcel Number 6786912829. Request is to Rezone the Property From R-40 (Residential) and RA (Residential Agriculture) to OI (Office Institutional). Property is owned by Carol T. Hurley.**

After opening this item, Mayor Shore called for discussion and or motion to add this item to the September 20, 2005 Regular Meeting Agenda

*Council member Bridges made a motion to add this item to the September 20, 2005 Regular Meeting Agenda, seconded by Council member Brown and approved unanimously by all Council members present.*

**Unfinished Business**

NONE

**New Business**

4. **Resolution Accepting Conditions of Phase 3 Funding (Alan Hart, USDA-Rural Development)**

Mayor Shore advised Council members that Mr. Hart would be at the September 20, 2005 Regular Meeting to brief Council and to walk them through the next steps. Mayor Shore called for a motion to add this item to the September 20, 2005 Regular Meeting Agenda.

*Council member Talbert moved to make a motion to add this item to the September 20, 2005 Regular Meeting Agenda, seconded by Council member Labonte and approved unanimously by all Council members present.*

5. **Contract for Codification Services.**

Mayor Shore opened this item and asked Manager Bailie to brief Council on this item.

Manager Bailie advised Council the Codification would put into order the Ordinances that the city has adopted. The Ordinances adopted by the City include Firearms, Junk Vehicles, Noise, Emergency Management, State of Emergency, Public Nuisance, Establishment of Civil or Criminal Penalties, Sewer Use Ordinance, and Animal Control Ordinance. Also, our Charter and Charter Amendments would be listed in the Code of Ordinances and would include changing the Form of Government and Permitting Closed Meetings.

This service would put together all of our Ordinances, cross reference them with NC General Statutes and against each other, and organize them in an easily understandable form that would enable anyone to view the City's Ordinances on location at City Hall or on our website.

The City compared costs from Municipal Code and American Legal the two (2) primary companies that provide this service and staff is recommending American Legal. They work in conjunction with the League of Municipalities and are slightly less expensive than Municipal Code.

After a brief discussion between Manager Bailie, and Council members concerning costs Mayor Shore called for a motion to add this item to the September 20, 2005 Regular Meeting Agenda.

*Council member Talbert made a motion to add this item to the September 20, 2005 Regular Meeting Agenda, seconded by Council member Lambeth and approved unanimously by all Council members present.*

**6. Ratify Randolph County National Incident Management System Ordinance.**

Mayor Shore opened this item and asked Manager Bailie to brief Council on this item.

Manager Bailie advised Council this was a directive from the department of the Homeland Security. It is an attempt to make the Incident Command System the only structure that we use. Randolph County has signed this Ordinance and is asking all the cities in the County to ratify this Ordinance.

*Council member Talbert moved to make a motion to add this item to the September 20, 2005 Regular Meeting Agenda, seconded by Council member Bridges and approved unanimously by all Council members present.*

**7. Appointments to Land Development Plan Committee**

Mayor Shore opened this item and asked Manager Bailie to brief Council on this item.

Manager Bailie referred Council to the copies provided to them of all applicants that applied to serve on this Committee. Our goal was a committee of 15 or more that would include 4 Council members. We received 12 applications from residents and by adding 4 Council members our total number would be 16 members for this Committee. Therefore, staff is recommending that all residents that applied (12) be appointed to serve on the Land Development Plan Committee.

After a brief discussion among Council members, Mayor Shore called for a motion to add this item to the September 20, 2005 Regular Meeting Agenda.

*Council member Bridges made a motion to add this item to the September 20, 2005 Regular Meeting Agenda, seconded by Council member Talbert and approved unanimously by all Council members present.*

**Additional Pre-Agenda Meeting Business**

**ITEM V. DISCUSSION**

- (Draft) Wastewater Treatment Agreement with Thomasville

Mayor Shore opened this item and asked Manager Bailie to brief Council on this item.

Manager Bailie advised Council members that she had received a telephone call from Kelly Craver, Assistant City Manager, City of Thomasville concerning the status of this agreement. They had a briefing Monday, September 12, 2005 and the Council is not ready to move forward with this agreement as we had planned for next week.

Council member Bridges asked if the current rate would remain the same or change. Mr. McNeill advised Council the rates would remain the same at \$7.50/ per thousand gallons for customers. Council member Lambeth asked if the City of Trinity Rates were fair in comparison to other surrounding municipalities rates. Mr. McNeill advised Council members that the rates were fair since the City of Trinity must purchase these services.

- Petition Requesting City to Pave Cold Brook Court With Cost to be Divided Between Residents and City.

Mayor Shore opened this item and turned the discussion over to Manager Bailie.

Manager Bailie discussed with Council members the significant interest received from citizens in cost sharing to pave some private streets in Trinity. She discussed the petition that had been received from some of the residents on Cold Brook Court that seemed to meet the requirements of the NC General Statutes.

Manager Bailie discussed Council's desires in proceeding further with this type of request. Would you like to consider these types of requests and share the costs of upgrading these streets when requested with residents making the petition? The process for this type of request would begin with a petition such as we received from the residents of Cold Brook Court. That petition would be presented to Council for acceptance and to set the standards for assessments and how they would take place.

Manager Bailie, and Council members discussed a possible requirement of 100% of all signatures versus the NC General Statutes that requires a majority of owners who represent a majority of the linear footage to request assessment for this type of project. They also discussed acquiring rights of ways and how the expenses of this would be included into the costs. Mr. McNeill advised members while he was not sure who owned the property, the property lines are to the rights of ways to the current recorded subdivision. All other streets in this subdivision were taken over by NC Department of Transportation. However, this street did not contain the density required for them to assume maintenance. This was a roadway built in a public easement that may still belong to the developer. I do not think that any of the property owners purchased any of this road way.

Mr. McNeill discussed the concept of this type of request. Is the Council interested in developing a Policy whereby the City would assume the responsibility of maintenance on these streets, assist the residents in sharing the costs to upgrade the streets, and use the NC General Statutes guidelines that establish the requirements for assessment if the petition is not signed by 100% of the owners.

Council members and Manager Bailie discussed the way assessments were calculated and how interest could be added to the assessment. Manager Bailie advised Council members that the assessments could be extended up to 10 years and the maximum interest that can be charged for interest is 8%. The petition presented to you from Cold Brook Court residents was presented to the residents as a split between the number of property owners rather than linear footage. Residents signing this petition were aware the costs would be divided based on total number of property owners instead of linear footage.

Mayor Shore discussed earlier conversations with Manager Bailie and previous conversations held with NC Department of Transportation regarding their desire to see the City take over as many streets as possible inside the City Limits. The Powell Bill Funds collected could be expended on projects like this. If the city does not spend this money they will lose this funding. Manager Bailie, Council members, and Mr. McNeill discussed the pro's and con's of taking over street maintenance, the appropriate time to accept maintenance for a street, and possible ways to work with NC Department of Transportation to acquire maintenance of new streets in Trinity. Also discussed was how revenues were determined and disbursed for this program.

There was further discussion on how Council would like to proceed with this request and others that might be presented to the City in the future.

Council member Labonte asked about the status of the petition by persons located on Turnpike Court that was presented to the City Council at an earlier meeting. Manager Bailie advised Council members that she had followed up with Mr. Rusty Slate concerning his request. I provided him with all of this information. He turned this information over to someone else. This person has put together a petition and advised me that he thought he would be able to get the majority of owners to sign the petition. That is the last information that I have received on this request. Mr. Slate had a petition of interest but not a legal petition for streets at this location. In order for us to consider the request they will need a petition that contains 51% of the property owners who own a majority of the linear footage.

Mayor Shore advised Council members that he wanted to arrange a meeting with Gregg Stabler, Davidson Water General Manager to provide water in this location prior to repairing streets. This is another reason a formal petition has not been given to the City for consideration.

After further discussion, Mayor Shore asked a resident from Cold Brook Court for comments that he may have concerning this petition. Mr. Mitch Stout, resident of Cold Brook Court advised members that all of the properties included in the petition faced Cold Brook Court. According to the Randolph County GIS all of the property owners are husband and wife except for one (1) owner who is single. This would mean there are eleven (11) property owners and out of the 11 property owners we have acquired six (6) signatures. There was further discussion on the stipulations of the General Statute requirements. Attorney Wilhoit advised members the statutes require both the **majority of the owners** as well as the **majority of linear footage** in order to accept the petition and to consider assessment to property owners.

There was discussion on how Council would like to proceed with determining and establishing assessment fees. Manager Bailie recommended that this be done on a per case basis. It may be feasible in some cases to set the assessment by linear footage while in others it may be more feasible to set the assessment by the number of properties. Mr. Stout advised us that the way he presented it to other residents on the street was that it would be fairer to place assessments per property since his linear footage is 105 feet compared to the Honeycutt's property of 362. He felt it would not be fair to the Honeycutt's since their property was larger. However the final decision is made by this Board.

At the conclusion of the discussion, Manager Bailie advised Mayor Shore and Council members that no action was needed on this item at this time. She advised members that when all research was completed that she would present the information to Council for further discussion and consideration.

## **ITEM VI. BUSINESS FROM MAYOR AND COUNCIL**

Mayor Shore discussed the following items:

### **Parking, Driveway, and Building Additions at City Hall**

Mayor Shore shared his concerns with Council members concerning the dangers that he felt existed to elderly as well as others by walking on the gravel currently located in the parking area and walk areas to the entrance of City Hall. He asked members to think about getting a bid to pave the driveway even though the building committee had recommended not to add the addition to the current City Hall Building.

He also advised Council that Mr. Larry Darr had volunteered to be a consultant in our effort to make improvements to City Hall.

Manager Bailie advised members that staff had made a list of possible minor renovations to the current City Hall Building since no additions were going to be made and this building would be used for another few years. I have planned to contact Council member Ewings when she returns and set up another meeting of the Building Committee to discuss the possibility of options. We could discuss paving the drive and a portion of the parking lot at that time. Manager Bailie asked if this was agreeable with Council. It was the consensus of Council for Manager Bailie to proceed as suggested and set up a meeting with the Building Committee upon Ms. Ewings return.

Mr. McNeill advised Council that the architect that had developed the plans had offered his services on an hourly rate, without a large fee. If the city needs assistance in making this happen he does not believe that the City needs to design a full renovation of this building. It is his opinion that the City needs to complete one (1) or two (2) sketches and get bids from two (2) to three (3) contractors to perform the work.

### **Letter of Support**

Mayor Shore discussed his combined efforts with Gary Lewallen, Chief of Police for the City of Archdale. We have been working in a joint effort for the Bullard family located in Archdale who is facing dire circumstances. Laurie Bullard, mother to Justin is a breast cancer patient who has recently had a mastectomy and is currently undergoing chemotherapy treatment. Justin who is 12 years old has been a paraplegic since birth and confined to a wheelchair. He also has scoliosis. The father Joe Bullard is employed and has major medical insurance and is also the sole supporter of this family. They currently live in a small mobile home that is not suitable for navigation of Justin's wheelchair.

We have been able to acquire the donation of a van to this family and have a commitment from Ilderton Dodge for a donation of up to \$5,000.00 in maintenance toward this vehicle.

Chief Lewallen is in the process of putting together a package and request to Extreme Makeover, Home Edition, for their consideration of assistance in remodeling of this home. I have been asked to write a letter in support of this effort and would like to get the consensus of Council prior to commitment.

***It was the consensus of Council that Mayor Shore writes the letter of support for Chief Lewallen in an effort to further his requests for home renovations.***

### **Golf Tournament**

Mayor Shore discussed the Mayor's Cup Invitational Golf Tournament that would take place at Winding Creek on October 05, 2005. Lunch starts at 11:00 am and Shot Guns at 12:00 noon. Mayor Shore extended an invitation to anyone who would like to participate in this tournament.

### **Comments from Council Members**

Council member Reddick asked if the tree stump at City Hall could be removed. Council member Lambeth advised members that he would look at getting this removed next week.

Council member Labonte discussed the devastation caused by the hurricane that struck Louisiana and Mississippi and how this could affect future grant monies that may be available for municipalities. He discussed the amount of dollars that would be needed to help rebuild these communities and how most federal monies would be diverted to these areas. The City needs to keep this in mind when seeking grants.

### **ITEM VII. BUSINESS FROM CITY MANAGER.**

Manager Bailie discussed the following items:

#### **Tap Fees**

Manager Bailie discussed telephone calls that both she and Mayor Shore had received concerning the ability for some of the low-income residents to pay tap and connection fees. The deadline for the discounted tap fee for the Colonial Heights Project is November 01, 2005. Manager Bailie discussed a CDBG Program that pays connection fees for low-income residents. If Council is interested in pursuing this funding source I would recommend that Council pass a motion to allow the Manager to temporarily suspend collection of tap fees from property owners in the Colonial Heights and Country Meadows sewer project areas whose household income is 50% or less than the median household income for this area as established by the State of North Carolina. Our current policy calls for mandatory connections. It would be in the low-income resident's interest to get connected since they do not use much water and would only pay \$15.00 per month once connected. One of the rules for the grant is that the line must be in the ground and operational. Colonial Heights is not that far at this time but will be next year. To participate in this program the City would call in July and apply for funding just as we did with the Darr Road Project. The maximum funding for this Grant is \$75,000.00 if the application is accepted. I believe if approved this would allow us to connect 15 to 18 persons if the City were to be funded the full amount of \$75,000.00.

After a brief discussion between Council members and Manager Bailie on how low income residents would be identified, ***Council member Talbert made a motion to allow the Manager to temporarily suspend collection of tap fees from property owners in the Colonial Heights and Country Meadows sewer project areas whose household income is 50% or less than the median household income for this area as established by the State of North Carolina, seconded by Council member Labonte, and approved unanimously by all Council members present.***

#### **Nuisance Violations**

Manager Bailie advised Council that Mr. Stumb had included pictures indicating residents that he had worked on regarding nuisance violations.

#### **Randolph County**

Manager Bailie advised Council that the problems discussed at the last pre-agenda meeting concerning problems in receiving Certificate of Occupancies from Randolph County had been solved. Randolph County is now sending a monthly spreadsheet to the City that contains all inspections activity taking place in Trinity.

**Meetings**

Thursday, September 22, 2005 – Meeting at Randolph County concerning Flood Plain Maps

National League of Cities and Congress of Cities - Charlotte, NC to be held December 06- December 10, 2005.

Annual League of Municipalities Conference, Hickory, NC to be held October 16-18, 2005.

**ITEM VII. ADJOURNMENT.**

With no other business to discuss, Mayor Shore called for a motion of Adjournment for the September 13, 2005 Pre-Agenda Meeting.

*Council member Brown made a motion to adjourn the September 13, 2005 Pre-Agenda Meeting, seconded by Council member Talbert and approved unanimously by all Council members present.*